

MINUTES – NOVEMBER 1, 2004

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, November 1, 2004. Members present: Mel O. Battle, Chairman, Larry G. Hamlett, Vice-Chairman, Nathaniel Hall, Jack W. Hooper, Cathy W. Lucas, Kenneth D. Travis, and George W. Ward, Jr. Also present: Jeffrey H. Earp, County Manager, Robert V. Shaver, Jr., County Attorney, Gordon Bendall representing The Caswell Messenger, and Lauren Chesnut representing The Danville Register & Bee. Wanda P. Smith, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Battle opened the meeting with a Moment of Silent Prayer and asked that the Board join him in remembering Mr. F. L. Cobb, member of the Caswell County Planning Board, who recently passed away.

APPROVAL OF AGENDA

Commissioner Travis moved, seconded by Commissioner Hamlett to approve the agenda as presented.

Commissioner Ward requested that Item No. 13, Caswell Broadband Update be removed from the agenda.

Commissioner Hall requested that Item No. 14, Update from Building and Grounds Committee be removed from the agenda.

Commissioner Lucas stated that she would like to add the report from the Audit Committee to the agenda, to be placed between Items 6 and 7. Commissioner Hall noted that when the Audit Committee met, they agreed at that time to discuss the contract and contract only as a Closed Session item. Commissioner Lucas stated that it was her understanding that they were going to discuss the findings of the Audit Committee in Open Session and anything that related to personnel or the contract would be discussed in Closed Session. Commissioner Travis, who serves on the Audit Committee along with Commissioners Hall and Lucas, disagreed with Commissioner Lucas' statements. Commissioner Lucas again stated that she had the understanding that when the Audit Committee discussed this during its meeting, that the findings of the Auditor up to that point would be discussed in Open Session and anything pertaining to personnel or the contract would be discussed in Closed Session. Commissioner Lucas added that she received information on Friday afternoon that listed issues that are being dealt with by the Auditor at this time and she believed that it is public information. Commissioner Hall stated that as Chair of the Audit Committee, he would like to reiterate that they did agree at the time of the meeting that the only thing that they would discuss tonight would be the contract. Commissioner Hall added that at their request, they did receive additional information from the Auditor, but felt it is premature at this point to discuss audit

findings because of the point to where the auditors are at this time. Commissioner Hall stated that what they have is not an official audit report or findings, and the audit is not complete. Commissioner Lucas noted that it was her understanding that the audit may not be complete until January 31 of next year. Commissioner Lucas added that what they are talking about are problems they are dealing with and it is public information and did not see a problem with discussing it during Open Session because it is an update of the Audit Committee and the findings of the Audit Committee. Commissioner Lucas stated that at this point she would like for the list that she received Friday afternoon to be entered into the official minutes of the meeting.

Upon the advice of the County Attorney, Chairman Battle stated that he would have the Board members vote on the three issues separately.

Chairman Battle called for a vote to remove Item No. 13, Caswell Broadband Update from the agenda and the vote was unanimous for approval.

Chairman Battle called for a vote to remove Item No. 14, Update from Building & Grounds Committee from the agenda and the vote was unanimous for approval. Commissioner Lucas questioned what the update from the Building and Grounds Committee dealt with specifically. Chairman Battle answered that at the last meeting the Building and Grounds Committee was charged with the task to bring back a recommendation concerning the 20 acres of land in Pelham. Upon questioning from Commissioner Lucas as to the status, Commissioner Hall answered that the Building and Grounds Committee has received information from Counsel, but they have not met to discuss it. Commissioner Lucas asked if the Committee had received a copy of the deed and restrictions and Commissioner Hall confirmed that this was correct.

Chairman Battle called for a vote to add the findings of the Audit Committee to the agenda and the vote was six to one with Commissioners Battle, Hamlett, Hall, Hooper, Travis, and Ward voting no. Commissioner Lucas asked for clarification of what would be discussed in Closed Session. Chairman Battle answered that it is his interpretation that the amended audit contract and any personnel issues would be the only things discussed in Closed Session. The County Attorney concurred with this. Commissioner Lucas stated that she felt that the information concerning the reason for the amended contract is public information and if they go into Closed Session to discuss amending the contract, then there is a specific reason they are going to do that and it is in the two page list of issues they are dealing with concerning the audit up to this point and this is public information. Commissioner Lucas asked if the Board is going to discuss these issues in Closed Session as to why they are going to amend the contract. Chairman Battle answered that when the Board goes into Closed Session, it can discuss the contract and personnel. Commissioner Lucas stated that this is public business and it should be talked about and dealt with in public, and when they talk about the contract and personnel, this is Closed Session material, but the findings of the Audit Committee is for Open Session. Commissioner Lucas added that the list is pretty detailed and deals with problems that are both pending and resolved. Chairman Battle informed Commissioner Lucas that she was out of order at this point and Commissioner Lucas proceeded to state that she was only

going to highlight the areas that they are going to be discussing because she knew they were going to be talking about amending the contract for a certain dollar amount because of extended time that is being involved in doing the audit in the Finance Office. Commissioner Lucas added that the reason for this is because they have problems with Cash, Investments, Accounts Receivable, Taxes Receivable, Fixed Assets, Accounts Payable, Other Payables, Deferred Compensation, New Middle School Capital Projects Fund, 13th Statement, and Prior Year Reversing Entries. Commissioner Lucas noted that all of this is public information. Commissioner Lucas added that when they go into Closed Session to discuss amending the contract, that is another issue. Chairman Battle stated to Commissioner Lucas that her comments were so noted.

Upon a vote of the original motion to approve the agenda, with the deletions of Items No. 13 and 14, the motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Hamlett to approve the Consent Agenda as presented. The motion carried unanimously.

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of October 4 and 18, 2004 Meetings
- 2) Budget Amendment No. 7 – DSS
- 3) Budget Amendment No. 8 – Health Dept.

PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANTS

Chairman Battle moved, seconded by Commissioner Hall that the Board enter into a public hearing to receive citizen input regarding the use of CDBG Funds for housing, community, and economic development activities, to serve low and moderate income families in Caswell County. The motion carried unanimously.

Mr. Jeff Earp, County Manager, reported that most of the CDBG grants require that the County hold two public hearings. Mr. Earp stated that this would be the first public hearing for all of those grants. Mr. Earp added that this is a generic public hearing to receive public comments concerning Caswell County applying for and receiving Community Development Block Grant funds for the purpose of rehabilitation, economic development, and urgent repair funds in order to assist low income and moderate income housing. Mr. Earp stated that Caswell County plans to apply for several grants such as the Scattered Site Housing Grant in the amount of \$400,000, the Urgent Repair Grant in the amount of \$75,000, and projects such as the Prospect Hill waterline. Mr. Earp added that he would ask the Board to consider scheduling a second public hearing on November 15, 2004, to deal specifically with infrastructure grant application and urgent repair housing grant funding.

Commissioner Lucas asked the County Manager what, specifically, was the purpose of the public hearing. Mr. Earp answered that the purpose of the public hearing is to give the general public an opportunity to give their comments on the County's going out and trying to attract funds for rehabilitation, economic development, urgent repair, and special projects. Commissioner Lucas asked if this is for the \$400,000 project discussed by the Board. Mr. Earp answered that tonight's public hearing is a generic public hearing for all grants that the County can apply for and that is why two public hearings are required, with the second one being specific to the individual grant. Commissioner Lucas stated that this is misleading because two public hearings need to be held for the proposed sewer line to Suburban Mobile Home Park and asked if this is counting as one of those. Mr. Earp answered that this public hearing does count as one of the public hearings for the Suburban Mobile Home Park and a specific public hearing would be held on that grant award on November 15th if the County wishes to continue and do this. Commissioner Lucas asked if the public hearing needed to be advertised specifically for its purpose. Mr. Earp answered that it did not, that it could be advertised as a generic public hearing. Commissioner Lucas asked if this notice of public hearing was advertised as a generic hearing 10 days prior to tonight's meeting. Mr. Earp answered that this was correct.

There being no further comments, Chairman Battle declared the public hearing closed.

PUBLIC HEARING – 2005-2006 COMMUNITY TRANSPORTATION PROGRAM APPLICATION

Chairman Battle moved, seconded by Commissioner Travis to enter into a public hearing to receive comments on transportation needs and the Community Transportation Program grant application. The motion carried unanimously.

Ms. Melissa Williamson, Caswell County Transportation Director, came before the Board and stated that it is time for the Caswell County Division of Transportation to complete the Community Transportation Program grant application for fiscal year 2005-2006. Ms. Williamson added that it is due to the Public Transportation Division by November 19, 2004. Ms. Williamson reported that notice of the public hearing was advertised 30 days prior to the public hearing and has been advertised for two consecutive weeks in The Caswell Messenger which meets all requirements.

Ms. Williamson reported that the grant application is for capital and administrative needs that is foreseen for fiscal year 2005-2006. Ms. Williamson added that she is requesting \$176,341 in state and federal funds. Ms. Williamson stated that in addition to administrative needs which will meet all operating costs, she is requesting capital needs such as two replacement vans, two computers, a laser jet printer, two additional ports for their telephone system, and a mobile radio unit for one of the vans. Ms. Williamson added that the local match would be \$22,761 which will come from revenues generated by CDOT and surplus funds.

Chairman Battle questioned the amount of surplus in CDOT and Ms. Williamson answered that there is approximately \$200,000 in surplus funds. Ms. Williamson informed the Board that the State had said that it would probably help pay 90% for an addition to the existing EMS Base for CDOT because they need more space, but has learned that the State will not be doing this. Ms. Williamson added that she has been told by her consultant that any facility needs will now need to be met by their surplus. Chairman Battle suggested the possibility of renovating space at Guilford Mills for CDOT. Chairman Battle questioned who would be eligible to use the van and Ms. Williamson explained the procedure that is followed with other than Human Service agencies, and noted that once they can go RGP (Rural General Public), they would have more flexibility. Ms. Williamson informed the Board that they have reduced their mileage rate from \$1.08 to \$.95 per mile. Chairman Battle stated that some counties are utilizing a 12 to 15 passenger mini-bus. Upon questioning from Commissioner Hall, Ms. Williamson answered that she felt that the County is operating fairly well with the number of vehicles in their fleet, especially now that they have three wheelchair lift vans. Commissioner Lucas asked when CDOT is planning to go RGP. Ms. Williamson answered that technically they are already RGP, but the Transportation Advisory Board is currently using these funds to provide transportation for Vocational Trades clients since their transportation funds were cut.

There being no further comments, Chairman Battle declared the public hearing closed.

Chairman Battle moved, seconded by Commissioner Travis to adopt the following Community Transportation Program Resolution. The motion carried unanimously.

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

RESOLUTION

Applicant Seeking Permission to Apply for Community Transportation Program Funding,
Enter Into Agreement With The North Carolina Department of Transportation
And to Provide the Necessary Assurances.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis);

WHEREAS, Caswell County hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, Section 5333(b) Warranty, and all administrative requirements which relates to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of Caswell County Board of Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

NC DEPARTMENT OF TRANSPORTATION – PETITION FOR ABANDONMENT –
SR 1555, SLAUGHTER ROAD

Mr. Jeff Earp, County Manager, reported that the NC Department of Transportation has submitted a Petition for Abandonment of a portion of SR 1555, Slaughter Road, in the Milton Township. Chairman Battle moved, seconded by Commissioner Hamlett to adopt the following *Resolution Concurring in Abandonment of Portion of SR 1555 (Slaughter Road)*. The motion carried unanimously.

**RESOLUTION CONCURRING IN ABANDONMENT
OF PORTION OF SR 1555 (Slaughter Road)**

WHEREAS, the N.C. Department of Transportation has investigated a petition to abandon from the state maintenance system a portion of SR 1555 (Slaughter Road); and

WHEREAS, the N.C. Department of Transportation recommends and supports said petition for abandonment since the petitioner owns all of the property along the portion requested to be abandoned and there are no homes or other uses having entrance to that portion of the road;

NOW, THEREFORE, BE IT RESOLVED that the Caswell County Board of Commissioners is in concurrence with the N.C. Department of Transportation in abandoning 0.25 miles of SR 1555 (Slaughter Road) from the state maintenance system, as indicated in the NC DOT Secondary Road Abandonment Investigation Report.

Adopted this 1st day of November, 2004.

Attest:

S/Wanda P. Smith

Wanda P. Smith
Clerk to the Board

S/M. O. Battle

Mel O. Battle
Chairman, Caswell County Board
Of Commissioners

SANITARY SEWER IMPROVEMENT PROJECT – SUBURBAN MOBILE HOME
PARK

Mr. Jeff Earp, County Manager, reported that at the Board's October 18, 2004 meeting, he was directed to explore the possibility of applying for funding to extend a sewer line approximately one mile down NC Hwy 86N to Suburban Mobile Home Park. Mr. Earp stated that Suburban Mobile Home Park, which consists of 34 families, has failed septic systems. Mr. Earp added that Environmental Health has inspected the systems and declared them as unacceptable. Mr. Earp stated that the Town of Yanceyville has requested that Caswell County assist them in applying for funds from the Division of Community Assistance to extend a sewer line to Suburban Mobile Home Park.

Mr. Earp reported that on October 21, 2004, he met with Ms. Vanessa Tunstall, Senior Development Specialist with the Division of Community Assistance, along with Mr. Tom Edmonds, Economic Developer, Mr. Steve Smith, Yanceyville Town Manager, and Mr. Michael Walser, with Hobbs & Upchurch. Mr. Earp stated that they presented to Ms. Tunstall a preliminary engineering report for the project. Mr. Earp added that Ms. Tunstall informed them that the Division of Community Assistance would be willing to fund the project under the following conditions:

- Caswell County would be the receiving agency for the funds.
- Caswell County Board of Commissioners would hold two public hearings by November 15, 2004.
- That the Caswell County Board of Commissioners allow ownership of the line to go to the Town of Yanceyville, or 1) show that Caswell County owns a wastewater treatment facility or has an existing agreement with an agency to accept and treat the wastewater. Also, ownership of the line would require Caswell County to provide documentation to the Division of Community Assistance that it had an existing budget to maintain and operate the sewer line.

Mr. Earp reported that the reason Caswell County has been asked to apply for this grant funding is that the Division of Community Assistance has rules that allow for an entity to apply for only one infrastructure grant per year. Mr. Earp added that Yanceyville had previously applied and was awarded a grant for a project on West Church Street which made them ineligible for this grant funding cycle for this project. Mr. Earp noted that because of the nature of the failure of the sewer systems at Suburban Mobile Home Park, waiting for a new cycle would mean the current residents would have to be displaced.

Mr. Earp reported that Ms. Tunstall informed them that the funding is currently available, but there were several projects being considered, and they would be funded on a first-come, first-serve basis. Mr. Earp added that Ms. Tunstall also stated that depending upon Caswell County's willingness to participate in this project and the timing of the submission of the application with all requirements met, would determine whether the funding would be granted.

Commissioner Hall asked if water service is being considered while this project is being done and Mr. Earp answered that water service is not being considered. Commissioner Hall questioned the type of rates that will be charged to the residents and Mr. Earp answered that since Suburban Mobile Home Park is in the Town limits, they would be charged in-town rates.

Commissioner Lucas requested that Mr. Earp clarify the role of Mr. Michael Walser. Mr. Earp answered that Mr. Walser works for the County as Administrator of the CDBG Block Grant in the amount of \$400,000 and the Urgent Repair Grant. Commissioner Lucas referred to the CDBG Public Hearing Notice in the agenda package and asked since Mr. Walser is listed as the contact person, shouldn't the County have advertised the public hearing with Ms. Vanessa Tunstall. Mr. Earp answered that this would be done specifically for this grant at the public hearing at the Board's next meeting. Commissioner Lucas questioned why Mr. Walser was included in this public hearing and Mr. Earp answered that Mr. Walser represents the County on three grants. Commissioner Lucas stated that she felt that the County needed to hold two separate public hearings on the Sanitary Sewer Improvement Project for Suburban Mobile Home Park and there is a time issue and did not feel it was clear that tonight was a public hearing on this project. Commissioner Lucas added that she did not feel that this is ethical.

Commissioner Lucas referred to the Summary of the Project, No. 7, Easement, Rights-of-Way, Street Repairs and asked if the park owner is willing to dedicate this site as stated. Commissioner Lucas asked who the park owner is and if he has confirmed that he will dedicate a site for the pump station. Mr. Earp answered that the owner of Suburban Mobile Home Park is Mr. James Williams, 2123 Little Rogers Road, Durham, NC. Mr. Earp read a letter from Mr. Williams in which he acknowledges that he is the owner of the park, is aware of the project, and requested that upon completion of the project, that the park be connected to receive sewer services from the Town. Upon questioning from Commissioner Lucas, Mr. Earp clarified that Mr. Williams did not confirm that he would dedicate property for a site for the pump station. Commissioner Lucas stated that if the County is going to accept the responsibility for the funds for this project, then it has to accept all of the responsibility that goes along with it up until ownership is turned over to the Town of Yanceyville. Commissioner Lucas added that she did not know if an Interlocal Agreement with the Town of Yanceyville is being considered, but all of this needs to be addressed.

Commissioner Lucas stated that she had asked at the last meeting about the funding cycle for this project because there seemed to be an urgent need to do this. Commissioner

Lucas added that it is her understanding that the failing septic systems at Suburban Mobile Home Park has been an on-going problem for some time. Upon questioning from Commissioner Lucas, Mr. Earp answered that there are 34 mobile homes at Suburban Mobile Home Park, with 30 of them being inhabited at this time. Commissioner Lucas stated that in a conversation she had with Environmental Health personnel, she did not think the County has ever displaced anyone from their home due to sewer problems. Commissioner Lucas added that the County continues to work with people and tries to find all solutions possible and has never displaced anyone. Commissioner Lucas stated that to say that these residents are under a threat of being displaced from this mobile home park is not accurate and felt that to use this as a means to make this work is wrong. Commissioner Lucas stated that she found out today that the funding cycle runs from January to December. Commissioner Lucas added that January 1, 2005, the Town of Yanceyville can apply for these funds because another funding cycle starts January 1st. Commissioner Lucas referred to a meeting with the Town of Yanceyville in which issues of mutual concern were to be discussed and the Town Attorney would not allow the Town of Yanceyville to discuss those with the County. Commissioner Lucas stated that currently the County has pending litigation, hearings will be held on December 1, 2004, and did not feel that it would make any difference at all to the residents of the Suburban Mobile Home Park if action is delayed until after the hearing in Raleigh on December 1st. Commissioner Lucas noted that the deadline for applying for these funds is December 15th. The Board discussed the County's liability in receiving the grant funds. Chairman Battle agreed with Commissioner Lucas that in the Summary of the Project, No. 7, the sentence, "it is anticipated that the park owner will dedicate the site" needs to be made clear and No. 10, Permit Consideration needs to be clear.

Commissioner Lucas stated that at this point she would like to challenge the validity of the public hearing held tonight, she did not believe that it was held in good faith, it was not properly advertised for this specific project, and therefore, she did not consider it valid. Chairman Battle so noted Commissioner Lucas' comments.

After further discussion, Commissioner Hall moved, seconded by Commissioner Hooper that the County move forward with the project as proposed and outlined in the agenda packet, and that the County work with the Town of Yanceyville to apply for a grant for sanitary sewer improvements to the Suburban Mobile Home Park.

Commissioner Lucas questioned how the Board could proceed with this project when they do not have all of the answers to their questions. Commissioner Lucas stated that they do not know that the owner of the property will assume responsibility for the pump station, and if he does not, then the County taxpayers will have to pay the cost of this and the County has not budgeted for this.

After questioning, Commissioner Hall clarified his motion and stated that in the spirit of getting this line installed, the Board needs to move forward and let the Town of Yanceyville do what it can. Commissioner Hall added that he sees this as a public health issue, and not as a political issue. Commissioner Hall noted that if the pump station is not put in, then the Town of Yanceyville can take the appropriate action.

Upon a vote of the motion, the motion carried by a vote of six to one with Commissioner Lucas voting no.

CONSIDERATION OF RECOMMENDATION FROM CASWELL COUNTY CIVIC
CENTER TO ADOPT A TWO-TIER FEE SCHEDULE

Mr. Jeff Earp, County Manager, reported that the Caswell County Civic Center currently utilizes a four-tiered fee schedule for rental of the property and the Civic Center Committee is recommending the adoption of a simplified two-tiered schedule, to become effective January 1, 2005. Mr. Earp stated that Mr. Lee Fowlkes, Civic Center Director, presented this request to him, but he felt that it was not necessary for the Board of Commissioners to approve this since the Board of Education owns the facility and approved the fee schedule on October 25, 2004, and this is within their realm of responsibility.

CONVENIENCE CENTER CONTRACTS

Mr. Jeff Earp, County Manager, reported that it is time to again renew the County's Convenience Center Contracts. Mr. Earp provided the Board with a copy of the Caswell County contract for solid waste sites as prepared and approved by the County Attorney. Mr. Earp reported that there are currently nine convenience center sites in Caswell County and he has received requests for the Board to consider the location of additional sites in the Hightowers and Semora area. Mr. Earp added that there has also been discussion about the possibility of moving the Prospect Hill site back to the Hightowers area. Upon questioning from Chairman Battle, Mr. Earp recommended that all sites be left as they are with the exception of the Prospect Hill site, and would like to see this site more generally located in the Hightowers area. Mr. Earp stated that a new location needed to be sited, and the Board should make the public in that area aware so that those interested could come forward and then prepare a list of those individuals for the Board's consideration to determine the best site. Mr. Earp added that he did not feel that expansion is feasible at this time.

Mr. Earp reported that the County has eight convenience center sites that are excellent and he would like to move forward with execution of the contracts for these.

Commissioner Hall questioned whether the current sites are distributed equitably throughout the County as far as population. Mr. Earp answered that he felt the County's convenience center sites are more geographically located throughout the County with the exception of Prospect Hill. Commissioner Hall stated that geographic location is good if the population is evenly distributed, but felt that the Board should look at population distribution because in his community, there is not a site that is near. Commissioner Lucas noted that according to the latest census figures, Cherry Grove is the fastest growing community in the County.

Chairman Battle questioned when the contracts expire and Mr. Earp answered that some contracts expired in July and August and the Prospect Hill site expires in December. Mr. Earp added that currently the sites are operating from month to month. Chairman Battle stated that there should be a clause in the contract that states that you have a certain number of days to accept the contract.

Mr. Earp requested Board action for the following:

- Identify approved sites, including any new sites
- Approve the form contract.
- Authorize the County Manager to execute contracts with approved sites, with discretion to alter hours of operation if necessary.

Commissioner Lucas asked shouldn't the contracts after execution by the convenience center operator come back to the Board for approval. Chairman Battle stated that this would be the safe procedure.

After further discussion, Chairman Battle moved, seconded by Commissioner Lucas to accept the Convenience Center Operation Contract as submitted with the exception that it will be brought back to the Board of Commissioners for execution and to accept the County Manager's recommendation relating to the current Prospect Hill site and to advertise for a prospective site in the Hightowers area, to be brought back to the Board for approval. The motion carried unanimously.

APPOINTMENT TO ABC BOARD

Chairman Battle moved, seconded by Commissioner Travis to reappoint Mr. G. Cleve Daniel to the ABC Board. The motion carried unanimously.

APPOINTMENT TO FARMER LAKE BOARD

Chairman Battle moved, seconded by Commissioner Hamlett to appoint Mr. Lawrence Gordon East to the Farmer Lake Board. The motion carried unanimously.

APPOINTMENTS TO JUVENILE CRIME PREVENTION COUNCIL

Chairman Battle moved, seconded by Commissioner Hamlett to reappoint Ms. Sandra Hudspeth and Ms. Sherry W. Cunningham to the Juvenile Crime Prevention Council. The motion carried unanimously.

APPOINTMENTS TO RECREATION COMMISSION

Chairman Battle moved, seconded by Commissioner Travis to reappoint Mr. W. Forrest Altman and Ms. Jean H. Vernon to the Recreation Commission. The motion carried unanimously.

CLOSED SESSION

Chairman Battle moved, seconded by Commissioner Hamlett that the Board enter into closed session to consider the compensation, terms of appointment, and performance of an individual public officer (NCGS 143-318.11(a)(6)) and to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)). The motion carried unanimously.

REGULAR SESSION

Chairman Battle moved, seconded by Commissioner Hamlett to resume regular session. The motion carried unanimously.

COUNTY AUDIT CONTRACT

Commissioner Hall moved, seconded by Commissioner Travis to approve an amendment to the County's audit contract with Goodman & Company which would increase the cost of the audit up to \$15,000 for the variable element and that the projected date of completion be changed to January 31, 2005. The motion carried by a vote of five to two with Commissioners Hamlett and Lucas voting no.

PERSONNEL POLICY CHANGES

Chairman Battle reported that the Personnel Committee met and reviewed the County's Personnel Policy and has submitted recommended policy changes.

The County Manager presented and reviewed the recommended policy changes.

After review, Chairman Battle moved, seconded by Commissioner Travis to approve the change to **Work Schedule** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hamlett to approve the change to **Worker's Compensation** as recommended. The motion carried by a vote of five to two with Commissioners Hall and Travis voting no.

After review, Chairman Battle moved, seconded by Commissioner Travis to approve the change to **Health Insurance for Retiring Employees** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hamlett to approve the change to **Holiday Pay** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hall to approve the change to **Caswell County Compliance with FMLA** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hall to approve the change to **Petty Leave** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hamlett to approve the change to **Bereavement Leave** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hamlett to approve the change to **Adverse Weather Conditions** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hamlett to approve the change to **Eligible Transportation Expense** as recommended. The motion carried unanimously.

After review, Chairman Battle moved, seconded by Commissioner Hamlett to approve the proposed salary increases for EMS positions as recommended. The motion carried unanimously.

It was noted that the adopted policy changes would become effective November 1, 2004.

COUNTY MANAGER'S REPORT

Mr. Jeff Earp, County Manager, reported that the Caswell County Sheriff's Office is applying for a grant through the Governor's Highway Safety Program for federal funding in the amount of \$10,000. Mr. Earp stated that the Sheriff's Department plans to use the funds to purchase equipment to hold more safety check point operations in Caswell County. Mr. Earp noted that no County match is required. Mr. Earp stated that Sheriff Welch has requested that the Board adopt a Resolution in support of the application. After further discussion, Chairman Battle moved, seconded by Commissioner Travis to adopt the following Resolution in support of the application for Governor's Highway Safety Program funds. The motion carried unanimously.

WHEREAS, the Caswell County Sheriff's Office has completed an application contract for traffic safety funding; and that Caswell County Board of Commissioners has thoroughly considered the problem identified and has reviewed the project as described in the contract.

THEREFORE, NOW BE IT RESOLVED BY THE Caswell County Board of Commissioners IN OPEN MEETING ASSEMBLED IN THE CITY OF YANCEYVILLE, NORTH CAROLINA, THIS 1ST DAY OF NOVEMBER, 2004, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Sheriff Michael L. Welch is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$10,000 to be made to the

- Governing Body to assist in defraying the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$0.00 as required by the project contract; and
 4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents, and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
 5. That certified copies of this resolution be included as part of the contract referenced above; and
 6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by S/M. O. Battle
Chairman

ATTESTED BY: S/Wanda P. Smith
Clerk

(SEAL)

DATE 11-01-04

Mr. Earp presented a request from Mr. Bud Wrenn, Senior Pastor/Teacher of Integrity Community Church in Burlington, North Carolina to rent the Caswell County Senior Center for temporary church services until such time that they can establish a permanent location. Mr. Earp stated that he did not support the request because he could not receive a confirmation from Mr. Wrenn as to the length of time needed and because of the lack of a comprehensive policy for something like this. The Board took no action on this request. Chairman Battle requested that the County Manager refer Mr. Wrenn to the Board of Education since they have rented school space in the past.

ANNOUNCEMENTS/QUESTIONS

Chairman Battle referred to an article in a Fayetteville newspaper concerning ABC profits and stated that he has asked the Clerk to the Board to provide copies to each Board member.

Chairman Battle stated that he was in the Tax Office recently and could see no construction in progress. Mr. Earp stated that at this point the Tax Office is waiting on a cabinet to be installed.

Chairman Battle announced that the FFA team from Bartlett Yancey High School, along with its advisor, Mr. Thomas White just returned from the National FFA Conference in Louisville, Kentucky with honors and felt that the Board of Commissioners should recognize them. After discussion, Chairman Battle moved, seconded by Commissioner Travis to recognize the FFA Team from Bartlett Yancey High School, along with Mr.

Thomas White, Advisor, at the Board's second meeting in December. The motion carried unanimously.

THE ADJOURNMENT

At 10:00 p.m. Chairman Battle moved, seconded by Commissioner Hamlett to adjourn the meeting. The motion carried unanimously.

Wanda P. Smith
Clerk to the Board

M. O. Battle
Chairman
